

AMENDMENT
to the
CHARTER
of the
BOARD OF SCIENTIFIC COUNSELORS
OFFICE OF PUBLIC HEALTH PREPAREDNESS AND RESPONSE
(Formerly Coordinating Office for Terrorism Preparedness and Emergency Response)

Authority

42 U.S.C §217a [Section 222 of the Public Health Service Act, as amended]. The Board is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. App.), which sets forth standards for the formation and use of advisory committees.

Objective and Scope of Activities

Section 301 of the Public Health Service Act (42 U.S.C. §241) provides that the Secretary shall render assistance to public authorities in the diagnosis, treatment, control and prevention of physical and mental diseases and impairments of persons. In doing so, the Secretary is authorized to make available information as to the practical application of research and is authorized to obtain the assistance and advice of experts and consultants. Section 311 of the Public Health Service Act, as amended (41 U.S.C. §243) authorizes the Secretary to assist and advise State and local authorities in matters relating to the preservation and improvement of the public health.

Description of Duties

The Board of Scientific Counselors, Office of Public Health Preparedness and Response (OPHPR), shall provide advice and guidance to the Secretary, Department of Health and Human Services (HHS), the Assistant Secretary for Health (ASH); the Director, Centers for Disease Control and Prevention (CDC); and to the Director, OPHPR, concerning strategies and goals for the programs and research within the divisions; will administer and oversee peer-review of OPHPR scientific programs; and monitor the overall strategic direction and focus of the divisions and offices. The Board, after administering and overseeing the peer reviews, shall submit an annual summary of the results of the reviews and recommendations to the Associate Director for Science and the Director, CDC.

The Board may perform second-level peer review of applications for grants-in-aid for research and research training activities, cooperative agreements, and research contract proposals relating to the broad areas within the office.

Agency or Official to Whom the Committee Reports

The Board shall provide advice and guidance to the Secretary, HHS; the Assistant Secretary for Health; the Director, CDC; and to the Director, OPHPR.

Support

Management and support services shall be provided by the Office of the Director, Office of Public Health Preparedness and Response, Centers for Disease Control and Prevention.

Estimated Annual Operating Costs and Staff Years

Estimated annual cost for operating the Board, including compensation and travel expenses but excluding staff support is \$133,944. The estimate of annual person-years of staff support required is 2.25 at an estimated annual cost of \$238,875.

Designated Federal Officer

CDC will select a full-time or permanent part-time Federal employee to serve as the Designated Federal Officer (DFO) to attend each meeting and ensure that all procedures are within applicable statutory, regulatory, and HHS General Administration Manual directives. The DFO will approve and prepare all meeting agendas, call all of the committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the Board reports. The DFO or his/her designee shall be present at all meetings of the full Board and subcommittees.

Estimated Number and Frequency of Meetings

Meetings shall be held approximately two times a year at the call of the Designated Federal Officer, in consultation with the Chair.

Meetings shall be open to the public except as determined otherwise by the Secretary, HHS, or other official to whom the authority has been delegated, in accordance with the Government in the Sunshine Act (5 U.S.C. 552b(c)) and Section 10(d) of the Federal Advisory Committee Act; notice of all meetings shall be given to the public.

Duration

Continuing

Termination

Unless renewed by appropriate action prior to its expiration, the Board of Scientific Counselors, Office of Public Health Preparedness and Response will terminate 2 years from the date this charter is filed.

Membership and Designation

The Board of Scientific Counselors, Office of Public Health Preparedness and Response shall consist of 10 members, including the Chair, and may include a Federal employee. Members and the Chair shall be selected by the Secretary, HHS, or designee, from authorities knowledgeable in the fields relevant to the issues addressed by the offices and divisions within the coordinating office, e.g., medicine, epidemiology, laboratory science, informatics, behavioral science, social science, engineering, business, and crisis leadership. Members shall be deemed Special Government Employees.

The Board shall also consist of three voting ex officio members from the HHS Office of the Secretary; Department of Homeland Security; and Department of Defense; and such others as the Secretary deems necessary to carry out the functions of the Board. In addition, the Board shall consist of nonvoting liaison representatives from the Association of Public Health Laboratories; Association of State and Territorial Health Officials; National Association of County and City Health Officials; Council of State and Territorial Epidemiologists; Association of Schools of Public Health; National Indian Health Board; and such others as the Secretary deems necessary to carry out the functions of the Board. Liaisons shall be deemed representatives.

Members shall be invited to serve for overlapping terms of up to four years, except that any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of that term. Terms of more than two years are contingent upon the renewal of the Board by appropriate action prior to its termination. A member may serve 180 days after the expiration of that member's term if a successor has not taken office.

Ad hoc consultants/reviewers, which may include Federal employees, may be utilized as deemed necessary for the Board to carry out its functions. Ad hoc consultants/reviewers provide subject matter expertise in the formulation of advice or recommendations; however, they do not count towards the quorum and may not vote.

Subcommittees

Subcommittees composed of members and nonmembers of the parent committee may be established with approval of the Secretary, HHS, or his/her designee. The subcommittees must report back to the parent committee and do not provide advice or work products directly to the agency. The Department Committee Management Officer will be notified upon establishment of each subcommittee and will be provided information on its name, membership, function, and estimated frequency of meetings.

Record Keeping

The records of the Board and established subcommittees of the Board shall be managed in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Filing Date

November 5, 2009

Amendment Filing Date

June 7, 2010

Approved:

June 7, 2010
Date

(signed by) Kathleen Sebelius
Secretary